

REMARKS

Status of the claims

Claims 63-88 are pending in the application. Claims 1-62 were canceled in the July 26, 1999 Preliminary Amendment (copy attached). Claims 63, 64, 86 and 88 are independent.

Requested action

Applicants respectfully request that the Examiner 1) reconsider and withdraw the outstanding rejection, 2) enter the July 26, 1999 Preliminary Amendment, and 3) issue a new Office Action examining Claims 63-88 in view of the foregoing amendments and the following remarks.

Request for entry of July 26, 1999 Preliminary Amendment

The May 23, 2000 Office Action does not acknowledge examination of the July 26, 1999 Preliminary Amendment adding Claims 63-88. Therefore, Applicants request the Examiner to examine this Amendment, a copy of which is attached, along with a stamped postcard receipt, indicating the filing of this document on July 26, 1999.

Election/Restriction requirement

The Examiner restricts examination to either Claims 28-35 (Group II) or Claims 36-62 (Group III).

In response, Applicants elect with traverse, Group III. Claims 63-88 correspond to Claims 36-62 of Group III.

In addition, Applicants respectfully request that the restriction requirement be withdrawn because it is not mandatory for the Examiner to make a restriction requirement in every possible situation, and especially here, where all of the claims could be searched by one Examiner without undue effort. Moreover, if one Examiner acts on all of the claims of the present application, overall examining time will be less than if multiple Examiners are involved, and uniform prosecution quality will be assured. Therefore, in the interest of prosecution economy and quality for both the Office and Applicants, Applicants respectfully submit that withdrawal of the restriction requirement in this application is appropriate.

Rejection

Claims 1-27 are rejected under 35 U.S.C. § 101 as claiming the same invention as that of Claims 107-133 of U.S. Patent No. 5,960,395 (Tzirkel-Hancock).

Response to rejection

In response, while not conceding the propriety of the rejection, Applicants would like to point out that the July 26, 1999 Preliminary Amendment implicitly canceled claims 1-62, in favor of Claims 63-88, as is evident from the remarks in that Preliminary Amendment. But to make this situation even clearer, Applicants are canceling Claims 1-62 in this Amendment. In addition, Applicants submit that this § 101 rejection is inappropriate for Claims 63-88.

For these reasons, withdrawal of the rejection of Claims 1-27 is appropriate and is respectfully solicited.

Issuance of new office action

Since the May 23, 2000 Office Action failed to examine Claims 63-88, Applicants respectfully request the issuance of a new Office Action examining these claims. As noted above, for the Examiner's convenience, attached is a copy of the July 26, 1999 Preliminary Amendment and a stamped postcard receipt indicating the filing of this Amendment on July 26, 1999.

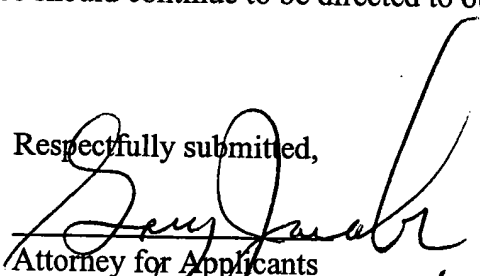
Conclusion

Since this Amendment and the July 26, 1999 Preliminary Amendment overcome the rejection and address the restriction requirement, Applicants respectfully request the Examiner to enter and examine the Preliminary Amendment, withdraw the rejection, acknowledge the satisfaction of the restriction requirement, and issue a new Office Action examining Claims 63-88.

An early and favorable action on the merits is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


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